

# Notice of Allowability

Application No.

10/078,615

Examiner

Cao (Kevin) Nguyen

Applicant(s)

AUFLICK ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 01/19/02.
2. ☒ The allowed claim(s) is/are 1-17.
3. ☒ The drawings filed on 19 February 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_\_.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
  - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No. \_\_\_\_\_.
  - (b) ☐ including changes required by the proposed drawing correction filed \_\_\_\_\_, which has been approved by the Examiner.
  - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet.

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

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|--|--|
| 1 <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) ✓                           | 2 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                    | 4 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____    |
| 5 <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. _____    | 6 <input type="checkbox"/> Examiner's Amendment/Comment                    |
| 7 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|  | 9 <input type="checkbox"/> Other   |

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CAO (KEVIN) NGUYEN  
PRIMARY EXAMINER

**DETAILED ACTION**

***Allowable Subject Matter***

1. Claims 1-17 are allowed over the prior art of record.

The following is a statement of reasons for the indication of allowable subject matter:

Applicant has claimed uniquely distinct features in the instant invention which are not found in the prior art either singularly or in combination of a method of navigating from a current selection to a desired selection within an ordered playlist of selections for reproduction by a multimedia player, each selection said ordered playlist having a corresponding selection number, said multimedia player having a rotary position encoder for controlling audio volume and a plurality of push button controls, said method comprising the steps of maintaining said rotary position encoder in a volume adjust mode; displaying a respective selection number of said current selection on a display; activating one of said push button controls and switching to a track access mode of said rotary position encoder in response thereto; detecting rotation of said rotary position encoder in either a clockwise direction counterclockwise direction; displaying respective selection numbers for interim selections on said display according to said detected rotation wherein said interim selection is recurrently rotate advanced in response to successive rotation in said clockwise direction over a predetermined resolution angle and is recurrently rolled back in response to said rotation in said counterclockwise direction of said predetermined resolution angle; detecting an absence of rotation of said rotary position encoder lasting for a first predetermined time, wherein an interim selection having its selection number being displayed after said first predetermined time comprises a chosen selection; and reproducing said chosen selection. These features are not found or suggested in the prior art.

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The present invention is directed to the steps of maintaining said rotary position encoder in a volume adjust mode; displaying a respective selection number of said current selection on a display; activating one of said push button controls and switching to a track access mode of said rotary position encoder in response thereto; detecting rotation of said rotary position encoder in either a clockwise direction counterclockwise direction; displaying respective selection numbers for interim selections on said display according to said detected rotation wherein said interim selection is recurrently rotate advanced in response to successive rotation in said clockwise direction over a predetermined resolution angle and is recurrently rolled back in response to said rotation in said counterclockwise direction of said predetermined resolution angle; detecting an absence of rotation of said rotary position encoder lasting for a first predetermined time, wherein an interim selection having its selection number being displayed after said first predetermined time comprises a chosen selection; and reproducing said chosen selection. Each independent claim is identified "detecting rotation of said rotary position encoder in either a clockwise direction counterclockwise direction; displaying respective selection numbers for interim selections on said display according to said detected rotation wherein said interim selection is recurrently rotate advanced in response to successive rotation in said clockwise direction over a predetermined resolution angle and is recurrently rolled back in response to said rotation in said counterclockwise direction of said predetermined resolution angle; detecting an absence of rotation of said rotary position encoder lasting for a first predetermined time, wherein an interim selection having its selection number being displayed after said first predetermined time comprises a chosen selection; and reproducing said chosen selection." The closest prior art Lee and Dwek discloses a conventional system of a music player resident on the user computer for

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accessing the online database via the computer network and selecting song file to be delivered across the computer network to the user computer either singularly or in combination fail to anticipate or render the above underline limitations obvious.

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cao (Kevin) Nguyen whose telephone number is 703-305-3972. The examiner can normally be reached on M-F: 9:00AM-6:00PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on 703-308-3116. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

08/16/04

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